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Defendants

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Plaintiffs, } CONSENT DECREE PURSUANT
 } TO STIPULATION [43]

Photallica Inc. d/b/a Photallica a/k/a
Photoallica a/k/a Photallica 2 a/k/a
Photallica II a/k/a Dhocallica; et al.,

Defendants.

The Court, having read and considered the Joint Stipulation for Entry of Consent Decree that has been executed on behalf of Plaintiffs Sanrio, Inc. and Warner Bros. Entertainment Inc. (collectively “Plaintiffs”), on the one hand, and Defendants Photallica and Saquib Shoaib (collectively “Defendants”), on the other hand, and good cause appearing therefor, hereby:

1 ORDERS that this Consent Decree shall be and is hereby entered in the within
2 action as follows:

3) This Court has jurisdiction over the parties to this action and over the subject
4 matter hereof pursuant to 17 U.S.C. § 101 et seq., 17 U.S.C. § 501, 15 U.S.C. § 1051
5 et seq., 15 U.S.C. § 1121, 28 U.S.C. §§ 1331 and 1338, and 28 U.S.C. § 1367.

6) Sanrio, Inc. is the owner of all rights in and to the copyright and trademark
7 registrations listed in Exhibits “A” and “B”, attached hereto and incorporated herein
8 by this reference, and the copyrights and trademarks associated with the same.

9) Warner Bros. Entertainment Inc. is the owner of all rights in and to the
10 copyright and trademark registrations listed in Exhibits “C” and “D” attached hereto
11 and incorporated herein by this reference, and the copyrights and trademarks
12 associated with the same. (The characters, images, trademarks and copyrights
13 identified in Exhibits A, B, C and D are collectively referred to herein as “Plaintiffs’
14 Properties.”)

15) Plaintiffs have expended considerable resources in the creation and commercial
16 exploitation of Plaintiffs’ Properties on merchandise such as clothing and other
17 products, and in the enforcement of their intellectual property rights in Plaintiffs’
18 Properties.

19) Plaintiffs have alleged that Defendants, and each of them, have made
20 unauthorized uses of Plaintiffs’ Properties or substantially similar likenesses or
21 colorable imitations thereof.

22) Defendants and their agents, servants, employees and all persons in active
23 concert and participation with them who receive actual notice of the injunction are
24 hereby restrained and enjoined from:

25) Infringing Plaintiffs’ copyrights and trademarks in Plaintiffs’ Properties,
26 either directly or contributorily, in any manner, including generally, but not
27 limited to manufacturing, importing, distributing, advertising, selling, offering

1 for sale, any unauthorized product which features any of Plaintiffs' Properties
2 ("Unauthorized Products"), and, specifically:

3 b) Importing, manufacturing, distributing, advertising, selling, offering for
4 sale, the Unauthorized Products or any other unauthorized products which
5 picture, reproduce, copy or use the likenesses of or bear a substantial similarity
6 to any of Plaintiffs' Properties;

7 c) Importing, manufacturing, distributing, advertising, selling, offering for
8 sale, renting or offering to rent in connection thereto any unauthorized
9 promotional materials, labels, packaging or containers which picture,
10 reproduce, copy or use the likenesses of or bear a confusing similarity to any of
11 Plaintiffs' Properties;

12 d) Engaging in any conduct that tends falsely to represent that, or is likely to
13 confuse, mislead or deceive purchasers, Defendants' customers and/or members
14 of the public to believe, the actions of Defendants, the products sold by
15 Defendants, or Defendants themselves are connected with Plaintiffs, are
16 sponsored, approved or licensed by Plaintiffs, or are affiliated with Plaintiffs;

17 e) Affixing, applying, annexing or using in connection with the importation,
18 manufacture, distribution, advertising, selling, offering for sale, or other use of
19 any goods or services, a false description or representation, including words or
20 other symbols, tending to falsely describe or represent such goods as being
21 those of Plaintiffs.

22 7) Each side shall bear its own fees and costs of suit.
23 8) This Consent Decree shall be deemed to have been served upon Defendants,
24 and each of them, at the time of its execution by the Court.
25 9) The Court finds there is no just reason for delay in entering this Consent Decree
26 and, pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court
27 directs immediate entry of this Consent Decree against Defendants.
28

10) The Court shall retain jurisdiction of this action to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this Consent Decree.

Dated: January 31, 2011

DOLLY M. GEE
United States District Judge

DOLLY M. GEE

UNITED STATES DISTRICT JUDGE

Presented By:

J. Andrew Coombs, A Prof. Corp.

By: _____
J. Andrew Coombs
Nicole L. Drey
Attorneys for Plaintiffs Sanrio, Inc. and
Warner Bros. Entertainment Inc.

Photallica

By: _____
Its:
Defendant

Saquib Shoaib

By: _____
Saquib Shoaib
Defendant and on behalf of Photallica

EXHIBIT A**SANRIO CO.'S COPYRIGHTED DESIGNS**

| Copyright Registration | Title of Work (Character) | Type of Work |
|------------------------|---------------------------|-----------------|
| VA 1 296 115 | 2004 – 100 Characters | Graphic Artwork |
| VA 811 440 | Bad Badtz Maru | Graphic Artwork |
| VAu 498 617 | Chococat | Art original |
| VA 130 420 | Hello Kitty | Graphic Artwork |
| VA 636 579 | KeroKeroKeroppi | Sticker Book |
| VA 246 421 | Little Twin Stars | Stickers |
| VA 840 495 | Monkichi | Graphic Artwork |
| VA 130 419 | My Melody | Graphic Artwork |
| VA 130 421 | Patty & Jimmy | Graphic Artwork |
| VA 636 582 | Pekkle | Graphic Artwork |
| VA 840 496 | Picke Bicke | Graphic Artwork |
| VA 636 580 | Pochacco | Sticker Book |
| VA 148 625 | Tuxedo Sam | Stickers |
| VA 840 494 | Winkipinki | Graphic Artwork |
| VA 636-581 | Zashikibuta | Stickers |

EXHIBIT B**SANRIO'S TRADEMARKS**

| Trademark | Mark Drawing Code | Trademark Registration No. | Trademark Registration Date |
|-------------|--|----------------------------|-----------------------------|
| Chococat | Design Plus Words, Letters, and/or Numbers | 2,842,707 | 5/18/04 |
| Chococat | Design Plus Words, Letters, and/or Numbers | 2,707,592 | 4/15/03 |
| Chococat | Design Plus Words, Letters, and/or Numbers | 2,705,164 | 4/8/03 |
| Chococat | Design Plus Words, Letters, and/or Numbers | 2,714,130 | 5/6/03 |
| Chococat | Design Plus Words, Letters, and/or Numbers | 2,952,043 | 5/17/05 |
| Chococat | Design Plus Words, Letters, and/or Numbers | 2,845,315 | 5/25/04 |
| Hello Kitty | Design Only | 1,200,083 | 7/6/82 |
| Hello Kitty | Design Only | 1,277,721 | 5/15/84 |
| Hello Kitty | Typed Drawing | 1,215,436 | 11/9/82 |
| Hello Kitty | Typed Drawing | 1,279,486 | 5/29/84 |
| Hello Kitty | Typed Drawing | 1,391,550 | 4/29/86 |
| Hello Kitty | Design Only | 1,370,105 | 11/12/85 |
| Keroppi | Standard Character Mark | 3,531,383 | 11/11/08 |
| Keroppi | Standard Character Mark | 3,181,350 | 12/5/06 |
| Keroppi | Standard Character Mark | 3,531,382 | 11/11/08 |
| Keroppi | Standard Character Mark | 3,181,349 | 12/5/06 |
| Keroppi | Standard Character Mark | 3,436,548 | 5/27/08 |
| Keroppi | Standard Character Mark | 3,181,348 | 12/5/06 |

| | | | | |
|----|-------------------|-------------------------|--------------------------|----------|
| 1 | Keroppi | Standard Character Mark | 3,181,347 | 12/5/06 |
| 2 | Keroppi | Standard Character Mark | 3,449,938 | 6/17/08 |
| 3 | Keroppi | Standard Character Mark | 3,531,381 | 11/11/08 |
| 4 | Keroppi | Standard Character Mark | 3,531,380 | 11/11/08 |
| 5 | Keroppi | Standard Character Mark | 3,181,346 | 12/5/06 |
| 6 | Keroppi | Standard Character Mark | 3,423,288 | 5/6/08 |
| 7 | Keroppi | Standard Character Mark | 3,181,345 | 12/5/06 |
| 8 | Little Twin Stars | Typed Drawing | 1,341,864 | 6/18/85 |
| 9 | Little Twin Stars | Typed Drawing | 1,192,946 | 4/6/82 |
| 10 | Little Twin Stars | Standard Character Mark | 3,245,999 | 5/29/07 |
| 11 | Little Twin Stars | Standard Character Mark | 3,245,998 | 5/29/07 |
| 12 | Little Twin Stars | Standard Character Mark | 3,245,997 | 5/29/07 |
| 13 | Little Twin Stars | Standard Character Mark | 3,245,994 | 5/29/07 |
| 14 | Little Twin Stars | Standard Character Mark | 3,245,993 | 5/29/07 |
| 15 | Little Twin Stars | Standard Character Mark | 3,245,992 | 5/29/07 |
| 16 | Little Twin Stars | Standard Character Mark | 3,245,991 | 5/29/07 |
| 17 | Monkichi | Standard Character Mark | Serial Number 77,154,633 | n/a |
| 18 | Monkichi | Standard Character Mark | Serial Number 77,154,635 | n/a |
| 19 | My Melody | Typed Drawing | 1,305,637 | 11/20/84 |
| 20 | My Melody | Typed Drawing | 1,210,192 | 9/28/82 |
| 21 | Pekkle | Typed Drawing | 2,327,584 | 3/14/00 |
| 22 | Pekkle | Typed Drawing | 2,053,346 | 4/15/97 |

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|---|----------|--|-----------|----------|
| 1 | Pochacco | Typed Drawing | 2,236,507 | 4/6/99 |
| 2 | Pochacco | Typed Drawing | 1,985,358 | 7/9/96 |
| 3 | Sanrio | Design Plus Words, Letters, and/or Numbers | 2,506,705 | 11/13/01 |
| 4 | Sanrio | Typed Drawing | 2,506,577 | 11/13/01 |
| 5 | Sanrio | Design Plus Words, Letters, and/or Numbers | 2,721,680 | 6/3/03 |
| 6 | Sanrio | Design Plus Words, Letters, and/or Numbers | 2,742,381 | 7/29/03 |
| 7 | Sanrio | Design Plus Words, Letters, and/or Numbers | 2,721,679 | 6/3/03 |
| 8 | Sanrio | Design Plus Words, Letters, and/or Numbers | 2,693,639 | 3/4/03 |
| 9 | Sanrio | Design Plus Words, Letters, and/or Numbers | 2,696,063 | 3/11/03 |

EXHIBIT C**WARNER BROS.' COPYRIGHTED DESIGNS**

| Copyright Registration | Title Of Work (Character) | Type of Work |
|-------------------------------|----------------------------------|---------------------|
| VA32-457 | Tasmanian Devil | Drawing |
| VA31-867 | Sylvester | Stuffed, plush |
| VA31-868 | Bugs Bunny | Stuffed, plush |
| VA31-869 | Tweety | Stuffed, plush |
| VA31-870 | Wile E. Coyote | Stuffed, plush |
| TXU 550963 | Bugs Bunny (1992) | Style Guide |
| TXU 550472 | Sylvester (1992) | Style Guide |
| TXU 550958 | Sylvester Jr. (1992) | Style Guide |
| TXU 550444 | Taz-Mania (1991) | Style Guide |
| TXU 550812 | Tweety (1992) | Style Guide |
| TXU 550953 | Wile E. Coyote (1992) | Style Guide |
| TXU 550962 | Yosemite Sam (1992) | Style Guide |
| TXU 550471 | Acme Road Gear (1992) | Style Guide |
| TXU-550463 | Daffy Duck (1992) | Style Guide |
| TXU 550960 | Elmer Fudd (1992) | Style Guide |
| TXU 550470 | Looney Tunes Guidelines (1992) | Style Guide |
| TXU 550961 | Marc Antony & Pussyfoot (1992) | Style Guide |
| TXU 550959 | Marvin The Martian (1992) | Style Guide |
| TXU 550957 | Pepe Le Pew & Penelope (1992) | Style Guide |

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|---|------------|--------------------------------|-------------|
| 1 | TXU 551162 | Porky Pig & Petunia Pig (1992) | Style Guide |
| 2 | TXU 550955 | Road Runner (1992) | Style Guide |
| 3 | TXU 550964 | Speedy Gonzales (1992) | Style Guide |
| 4 | TXU 557335 | Tasmanian Devil (1992) | Style Guide |
| 5 | TXU 568671 | The Warner Brothers (1992) | Style Guide |

EXHIBIT D**WARNER BROS. TRADEMARKS**

| Trademark Name | Registration No | Reg. Date |
|-----------------------|------------------------|--------------------|
| BUGS BUNNY | 950381 | January 9, 1973 |
| BUGS BUNNY | 2046053 | March 18, 1997 |
| DAFFY DUCK | 1998415 | September 3, 1996 |
| ELMER FUDD | 1997173 | August 27, 1996 |
| LOONEY TUNES | 1574797 | January 2, 1990 |
| PORKY PIG | 2062712 | May 20, 1997 |
| ROAD RUNNER | 2000037 | September 10, 1996 |
| TASMANIAN DEVIL | 2033589 | January 28, 1997 |
| TWEETY | 1997174 | August 27, 1996 |